

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

STEVE SACHS,

Plaintiff,

V.

STEVEN SPRAGUE, ET AL,

Defendant.

**CIVIL ACTION
NO. 04-30032-MAP**

**DEFENDANTS' ASSENTED-TO
MOTION FOR LEAVE TO EXCEED PAGE LIMIT**

Defendants Messrs. Sprague, Feeney, Bagalay, Bushnell, Gilder and McConnaughy and nominal defendant Wave Systems Corp. (collectively, “Defendants”) with the assent of Plaintiffs, respectfully move this Court for leave to submit the accompanying 30-page Memorandum of Law in Support of Their Motion to Dismiss the Consolidated Amended Complaint (“Memorandum of Law”), in excess of the standing 20-page limit provided in Local Rule 7.1(B)(4).

As grounds for this Motion for Leave to Exceed Page Limit (“Motion”), Defendants state the following:

1. The Memorandum of Law includes thorough analysis and citation to legal authority which will assist the Court in resolution of Defendants' Motion to Dismiss, and that might otherwise be compromised if confined to the 20-page limit.
2. Plaintiffs assent to the relief sought by this Motion.

WHEREFORE, Defendants respectfully request leave to submit a Memorandum of Law in excess of the 20-page limit.

Respectfully submitted,

**STEVEN SPRAGUE, GERALD T.
FEENEY, JOHN E. BAGALAY, JR.,
NOLAN BUSHNELL, GEORGE
GILDER, JOHN E. McCONNAUGHY,
JR. AND NOMINAL DEFENDANT
WAVE SYSTEMS CORP.**

By their attorneys,

/s/Michael D. Blanchard
Robert A. Buhlman, BBO #554393
Eunice E. Lee, BBO #639856
Michael D. Blanchard, BBO#636860
BINGHAM McCUTCHEN LLP
150 Federal Street
Boston, MA 02110
(617) 951-8000

Dated: December 22, 2004

RULE 7.1(a)(2) CERTIFICATION

I, Michael D. Blanchard, hereby certify that counsel for Defendants conferred with counsel for Plaintiffs in good faith to resolve or narrow the issues presented in this motion. Counsel for Plaintiffs assent to the relief sought by this motion.

/s/Michael D. Blanchard
Michael D. Blanchard

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served electronically upon the attorney of record for each party on December 22, 2004.

/s/Michael D. Blanchard
Michael D. Blanchard